

1 AN ACT relating to jailer canteen accounts.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 67.0802 is amended to read as follows:

- 4 (1) As used in this section, "independent appraisal" means an appraisal made by:
- 5 (a) An individual or organization not affiliated with the county or its officers or
- 6 employees, using a generally accepted national or professional standard; or
- 7 (b) A county's officers or employees using a nationally published valuation of
- 8 property based on the most recent edition of the publication.
- 9 (2) A county may sell or otherwise dispose of any of its real or personal property.
- 10 (3) Before selling or otherwise disposing of any real or personal property, the county
- 11 shall make a written determination setting forth and fully describing:
- 12 (a) The real or personal property;
- 13 (b) Its intended use at the time of acquisition;
- 14 (c) The reasons why it is in the public interest to dispose of it; and
- 15 (d) The method of disposition to be used.
- 16 (4) Real or personal property may be:
- 17 (a) Transferred, with or without compensation, to another governmental agency;
- 18 (b) Sold at public auction following publication of the auction in accordance with
- 19 KRS 424.130(1)(b);
- 20 (c) Sold by electronic auction following publication of the auction, including the
- 21 uniform resource link (URL) for the site of the electronic auction, in
- 22 accordance with KRS 424.130(1)(b);
- 23 (d) Sold by sealed bids in accordance with the procedure for sealed bids under
- 24 KRS 45A.365(3) and (4);
- 25 (e) Transferred, with or without compensation, for economic development
- 26 purposes, which shall include but not be limited to real property transfers for
- 27 the elimination of blight;

- 1 (f) Traded towards the acquisition of the same or similar type of property if the
2 value of the property the county is receiving in exchange equals or exceeds the
3 actual fair market value of the property it traded as determined using an
4 independent appraisal;
- 5 (g) 1. Sold for its appraised fair market value or a greater amount if the
6 property is valued at five thousand dollars (\$5,000) or less in an
7 independent appraisal without using the procedure set out in paragraph
8 (d) of this subsection.
- 9 2. Property sold under this paragraph shall not be sold to a county officer
10 or employee;
- 11 (h) Sold for scrap or disposed of as garbage, of which road millings and dirt may
12 be considered as such, in a manner consistent with the public interest if the
13 property has no value, or is of a nominal value as determined by an
14 independent appraisal; or
- 15 (i) Sold by the Finance and Administration Cabinet under an agreement with the
16 county.
- 17 (5) If a county receives no bids for the real or personal property, either at public or
18 electronic auction or by sealed bid, the property may be disposed of, consistent with
19 the public interest, in any manner deemed appropriate by the county. In those
20 instances, a written description of the property, the method of disposal, and the
21 amount of compensation, if any, shall be made.
- 22 (6) (a) Except as provided in paragraph (b) or (c) of this subsection, any
23 compensation resulting from the disposal of this real or personal property
24 shall be transferred to the general fund of the county.
- 25 (b) Any compensation resulting from the disposal of real or personal property that
26 was acquired by forfeiture under KRS Chapter 218A or purchased using funds
27 restricted under KRS 218A.420(4)(a) shall be transferred to the account used

1 for such forfeiture proceeds and upon transfer shall remain subject to the
2 restrictions of KRS 218A.420(4)(a).

3 (c) Any compensation resulting from the disposal of real or personal property
4 that was purchased from a canteen account under KRS 441.135 shall be
5 returned to the canteen account from which the real or personal property
6 was originally purchased.